

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

RAYCINE SOMMERS, individually and on
behalf of all others similarly situated

Plaintiff	Case Number
vs.	7:22-cv-10572
SOMNIA, INC. and ANESTHESIA SERVICES OF SAN JOAQUIN P.C.	
Defendant	

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

Irene Chabak, individually and on behalf of
all others similarly situated

Plaintiff	Case Number
vs.	7:22-cv-09341-PMH
Somnia, Inc.	
Defendant	

Status of Earlier Filed Case:

☐

Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

☒

Open

(If so, set forth procedural status and summarize any court rulings.)

The complaint was filed on October 31, 2022. On December 1, 2022, the Court entered a stipulation extending the time by which Defendant Somnia Inc. is required to answer Plaintiff's complaint until February 1, 2023.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

Both cases involve one of the same defendants (Somnia, Inc.) and the allegations in both complaints are based on the same alleged conduct at Somnia relating to the July 2022 data breach which affected the plaintiffs in both cases. Each case brings a class action on behalf of victims of the data breach and alleges that Somnia was negligent in its handling of class members' personal information.

Additionally, Judge Halpern has already determined that two other cases filed against Somnia and its business partners stemming from the July 2022 data breach are related to Chabak v. Somnia, Inc. See Polk v. Somnia, Inc., Case No. 7:22-cv-09549-PMH (S.D.N.Y.); Harris v. Somnia, Inc. & Palm Springs Anesthesia Services, P.C., Case No. 7:22-cv-09550-PMH (S.D.N.Y.).

Signature: /s/ Jason L. Lichtman Date: 12/14/2022

Lieff Cabraser Heimann & Bernstein LLP

Firm: _____